

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)

DOCKET NO. 05-0145

For Approval to Commit Funds in)
Excess of \$2,500,000 (excluding)
customer contributions) for the)
Purchase and Installation of Item)
Y-49000, Campbell Industrial Park)
Generating Station and Transmission)
Additions Project.)

ORDER NO. 23085

Filed Nov. 28, 2006
At 2 o'clock P. M.

Karen Higashi.
Chief Clerk of the Commission

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2006 NOV 29 A 9:02
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi.

In the Matter of the Application of)
)
 HAWAIIAN ELECTRIC COMPANY, INC.)
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 For Approval to Commit Funds in)
 Excess of \$2,500,000 (excluding)
 customer contributions) for the)
 Purchase and Installation of Item)
 Y-49000, Campbell Industrial Park)
 Generating Station and Transmission))
 Additions Project.)
)

On November 22, 2006, the Parties filed their Joint Motion for Approval of Stipulation, which requested that the commission approve their agreement that the following witnesses' prefiled testimonies and exhibits be entered into the record in this proceeding without the necessity for the witnesses to appear at the hearing for cross-examination: Perry White

(HECO RT-10),¹ William A. Bonnet (HECO RT-10A), Michael A. Kelsh, Ph.D. (HECO RT-10B), Stuart Aaronson, M.D. (HECO RT-10C), Philip Hauret (HECO RT-10D), and Denise E. Antolini (LOL T-11).

The commission finds that the Parties' Stipulation will serve to simplify and expedite the evidentiary hearing of this matter, and accordingly, approves the Parties' Joint Motion for Approval of Stipulation. However, as set forth in Order No. 23045, filed on November 21, 2006, the foregoing witnesses shall still be subject to the call of the commission, and should be made available, at a later date if necessary, for possible examination by the commission.²

II.

Orders

THE COMMISSION ORDERS:

1. The Parties' Joint Motion for Approval of Stipulation, attached as Exhibit A, is approved.

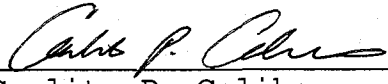
2. The prefiled testimonies and exhibits of HECO RT-10, HECO RT-10A, HECO RT-10B, HECO RT-10C, HECO RT-10D, and LOL T-11 may be entered into the record without the necessity for the witnesses to appear at the hearing for cross-examination, but the foregoing witnesses shall still be subject to the call of the commission, and should be made available, at a later date if necessary, for possible examination by the commission.

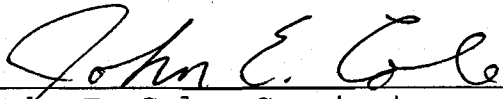
¹The Parties agreed that Perry White will still be made available for cross-examination on his T-10 testimony.

²If the commission examines a witness, the Party who sponsored the witness may ask re-direct questions of its witness.

DONE at Honolulu, Hawaii NOV 28 2006.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

APPROVED AS TO FORM:


Kaiulani Kidani Shinsato
Commission Counsel

05-0145.eh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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HAWAIIAN ELECTRIC COMPANY, INC.)

Docket No. 05-0145

for approval to commit funds in excess of)
\$2,500,000 (excluding customer contributions))
for the Purchase and Installation of Item Y-49000)
Campbell Industrial Park Generating Station)
and Transmission Additions Project.)

FILED
2006 NOV 22 A 8:16
PUBLIC UTILITIES
COMMISSION

JOINT MOTION FOR APPROVAL OF STIPULATION

STIPULATION

AND

CERTIFICATE OF SERVICE

DIVISION OF CONSUMER ADVOCACY
Department of Commerce and Consumer
Affairs
JON S. ITOMURA
LANE H. TSUCHIYAMA
335 Merchant Street, Room 326
Honolulu, Hawaii 96813
Telephone: 586-2800

RUSH MOORE LLP
A Limited Liability Law Partnership
CRAIG I. NAKANISHI
737 Bishop Street, Suite 2400
Honolulu, Hawaii 96813
Telephone: 521-0400

Attorneys for
HAWAIIAN ELECTRIC COMPANY, INC.

LIFE OF THE LAND
HENRY Q CURTIS
76 North King Street, Suite 203
Honolulu, Hawaii 96817
Telephone: 533-3454

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

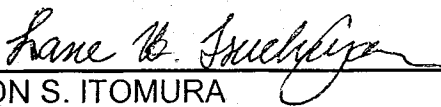
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JOINT MOTION FOR APPROVAL OF STIPULATION


THE DIVISION OF CONSUMER ADVOCACY OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS; LIFE OF THE LAND; and HAWAIIAN ELECTRIC COMPANY, INC., respectfully move this Commission to issue an order approving the attached Stipulation, and respectfully request that the order be issued prior to the commencement of the evidentiary hearing.

This Motion is made pursuant to §6-61-41 and §6-61-35 of the Rules of Practice and Procedure before the Public Utilities Commission, and is based on the reasons and circumstances stated in the Stipulation. No hearing is requested on this Motion.

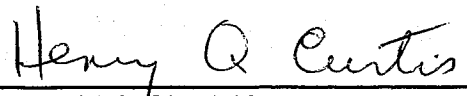
DATED: Honolulu, Hawaii, November 21, 2006.



JON S. ITOMURA
LANE H. TSUCHIYAMA
Attorneys for
DIVISION OF CONSUMER
ADVOCACY
DEPARTMENT OF COMMERCE AND
CONSUMER AFFAIRS



CRAIG L. NAKANISHI
SHAH J. BENTO
Attorneys for
HAWAIIAN ELECTRIC COMPANY, INC.



HENRY Q. CURTIS
Vice President for Consumer Issues
LIFE OF THE LAND

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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HAWAIIAN ELECTRIC COMPANY, INC.)	Docket No. 05-0145
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STIPULATION

WHEREAS, Hawaiian Electric Company, Inc. ("HECO" or "Hawaiian Electric"), filed an application on June 17, 2005 for Commission approval to commit funds in excess of \$2,500,000, excluding customer contributions, for Item Y-49000, the Campbell Industrial Park Generating Station and Transmission Additions project ("Proposed Project");

WHEREAS, the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs ("Consumer Advocate") is, ex officio, a party to this proceeding pursuant to the Rules of Practice and Procedure before the Public Utilities Commission (the "Commission");

WHEREAS, Life of the Land ("LOL") was made a party to this proceeding and Southern Wine and Spirits of America, Inc. ("SWSA") was granted

participant status to this proceeding pursuant to Order No. 22244, filed January 26, 2006.¹

WHEREAS, the evidentiary hearing is currently scheduled for December 11 – 15 2006 and there are numerous witnesses that will need to be scheduled to testify during the evidentiary hearing;

WHEREAS, SWSA presented statements in its written testimony that Hawaiian Electric primarily addressed in the rebuttal testimonies of Perry White (HECO RT-10), William A. Bonnet (HECO RT-10A), Michael A. Kelsh, PH.D. (HECO RT-10B [mainland witness]), Stuart Aaronson, M.D. (HECO RT-10C [mainland witness]), and Philip Hauret (HECO RT-10D);

WHEREAS, SWSA and Hawaiian Electric resolved their differences and SWSA filed a Notice of Withdrawal of Southern Wine & Spirits of America, Inc.'s Participation in Docket No. 05-0145 on November 8, 2006 ("Withdrawal") and which Withdrawal was approved by the Commission on November 17, 2006 in Order No. 23025;

WHEREAS, LOL and the Consumer Advocate agree that the rebuttal testimonies of Perry White (HECO RT-10), William A. Bonnet (HECO RT-10A), Michael A. Kelsh, PH.D. (HECO RT-10B), Stuart Aaronson, M.D. (HECO RT-10C), and Philip Hauret (HECO RT-10D) may be entered into the record without the necessity for the witnesses to appear at the hearing;

WHEREAS, LOL witness Denise E. Antolini, J.D. (LOL T-11) will not be available for cross examination at the time of the hearing and LOL has requested, and

¹ SWSA participation was limited to the health, environmental, traffic congestion, and noise effects caused by the Proposed Project on SWSA's products, employees, vendors, customers, and other visitors to SWSA's warehouse adjacent to the site of the Proposed Project and the value of SWSA's property next to the site.

Hawaiian Electric and the Consumer Advocate have agreed, that the testimony of Denise E. Antolini, J.D. (LOL T-11) be entered into the record without the necessity for this witness to appear at the hearing;

WHEREAS, this Stipulation does not impact the ability to decide the issues in this Docket as set forth in Stipulated Procedural Order No. 22381, filed April 12, 2006;

WHEREAS, this Stipulation is for the purpose of simplifying and expediting this proceeding;

NOW, THEREFORE, it is hereby stipulated and agreed by the Consumer Advocate, Life of the Land and Hawaiian Electric as follows:

1. The Consumer Advocate and Life of the Land hereby waive their right to cross-examine Perry White (HECO RT-10),² William A. Bonnet (HECO RT-10A), Michael A. Kelsh, PH.D. (HECO RT-10B), Stuart Aaronson, M.D. (HECO RT-10C), and Philip Hauret (HECO RT-10D), and agree that these Hawaiian Electric rebuttal witnesses (HECO RT-10, RT-10A, RT-10B, RT-10C, and RT-10D) prefiled testimonies and exhibits may be entered into the record without the necessity for these rebuttal witnesses to appear at the hearing.

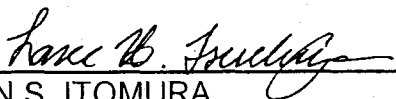
2. Hawaiian Electric and the Consumer Advocate hereby waive their right to cross-examine Denise E. Antolini, J.D. (LOL T-11) and agree that Life of the Land's witness Denise E. Antolini, J.D. (LOL T-11) prefiled testimony and exhibits may be entered into the record without the necessity for this witness to appear at the hearing.

² Perry White will be available for cross-examination by the Consumer Advocate and LOL on his T-10 testimony.


3. This Stipulation shall apply solely to this proceeding, and is entered into solely for the purposes of simplifying and expediting this process.

4. The agreements in this Stipulation are subject to Commission approval. If the Commission does not issue an order adopting this Stipulation in its entirety, then the parties may withdraw from this Stipulation.


DATED: Honolulu, Hawaii, November 21, 2006.



JON S. ITOMURA
LANE H. TSUCHIYAMA
Attorneys for
DIVISION OF CONSUMER ADVOCACY
DEPARTMENT OF COMMERCE AND
CONSUMER AFFAIRS



CRAIG I. NAKANISHI
SHAH J. BENTO
Attorneys for
HAWAIIAN ELECTRIC COMPANY, INC.



HENRY Q CURTIS
Vice President for Consumer Issues
LIFE OF THE LAND

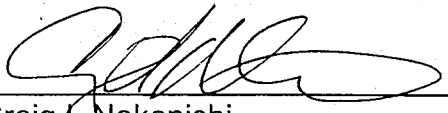
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing JOINT MOTION FOR APPROVAL OF STIPULATION and STIPULATION, together with this Certificate of Service, by hand delivery and/or mailing a copy by United States mail, postage prepaid, to the following:

Department of Commerce and Consumer Affairs
Division of Consumer Advocacy
335 Merchant Street, Room 326
Honolulu, Hawaii 96813

Henry Q Curtis
Vice President for Consumer Issues
Life of the Land
76 North King Street, Suite 203
Honolulu, Hawaii 96817

DATED: Honolulu, Hawaii, November 22, 2006.


Craig I. Nakanishi
Attorney for
Hawaiian Electric Company, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have on this date served a copy of the foregoing Order No. 23085 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DIVISION OF CONSUMER ADVOCACY
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
P. O. Box 541
Honolulu, HI 96809

WILLIAM A. BONNET
VICE PRESIDENT - GOVERNMENT AND COMMUNITY AFFAIRS
HAWAIIAN ELECTRIC COMPANY, INC.
P. O. Box 2750
Honolulu, HI 96840-0001

DEAN K. MATSUURA
DIRECTOR - REGULATORY AFFAIRS
HAWAIIAN ELECTRIC COMPANY, INC.
P. O. Box 2750
Honolulu, HI 96840-0001

CRAIG I. NAKANISHI, ESQ.
RUSH MOORE LLP
737 Bishop Street, Suite 2400
Honolulu, HI 96813

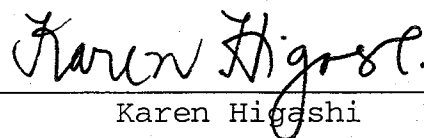
Counsel for Hawaiian Electric Company, Inc.

THOMAS W. WILLIAMS, ESQ.
PETER Y. KIKUTA, ESQ.
GOODSILL ANDERSON QUINN & STIFEL
Alii Place, Suite 1800
1099 Alakea Street
Honolulu, HI 96813

Counsel for Hawaiian Electric Company, Inc.

Certificate of Service
Page 2

HENRY Q CURTIS
VICE PRESIDENT FOR CONSUMER ISSUES
LIFE OF THE LAND
76 North King Street, Suite 203
Honolulu, HI 96813



Karen Higashi

DATED: NOV 28 2006